

7/2/07 - Monday, July 2, 2007

CITY OF EAU CLAIRE

PLAN COMMISSION MINUTES

Meeting of July 2, 2007

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Levandowski, Larson, FitzGerald, Kayser, Waedt, Vande Loo, Davis, Kaiser

Staff Present: Messrs. Tufte, Reiter, Genskow, Ivory, Amundson

The meeting was chaired by Mr. Levandowski.

1. **REZONING (Z-1386-07) - R-3P and C-2P to R-3P, Oxbow Apartments, 10th Avenue**
and
CONDITIONAL USE PERMIT (CZ-0707) - Parking Lot, 225 10th Avenue
and
SITE PLAN (SP-0722) - Oxbow Apartments Addition and Parking Lot, 225 10th Avenue

Bob Johnson has submitted a request to rezone property located at the northwest corner of Water Street and 10th Avenue from R-3P and C-2P to R-3P, and to approve the General Development Plan (site plan for an addition to Oxbow Apartments). Mr. Johnson also submitted a conditional use permit to allow a non-accessory parking lot at 225 10th Avenue for the Oxbow Apartments, and to approve the site plan for the project.

Mr. Tufte reported that staff has received a letter from Mr. Johnson requesting that consideration be tabled for two weeks to allow the applicants to review their site plan. There was no staff presentation.

Robert Juedes, 233 10th Avenue, spoke about his concerns on 10th Avenue. He noted that 10th Avenue is full all the time with parked cars and questioned whether the additional parking will accommodate the increased number of tenants. He also reported that parked cars have blocked driveways on 10th Avenue requiring him to call the police.

Mr. Vande Loo moved to postpone consideration of these items to July 16, 2007. Mr. FitzGerald seconded and the motion carried.

2. **REZONING (Z-1387-07) - TR-1A to C-3P, Southfield Park of Commerce**
and
CERTIFIED SURVEY MAP (CSM-3-07) - Right-of-way Dedication, East of Hwy. 53
and
SITE PLAN (SP-0725) - Gander Mountain Store

Ayres Associates has submitted a request to rezone property located south of I-94 and both east and west of Hwy. 53 from TR-1A to C-3P, and to approve the General Development Plan for the Southfield Park of Commerce. Part of this request is a Certified Survey Map with right-of-way dedication for a public street and a site plan approval for Gander Mountain, both located within the eastern portion of the rezone request. The project zoning is for a 35-acre business park, 6-acre hospitality center and 31-acre retail center. The Comprehensive Plan>

The CSM for the retail portion provides right-of-way dedication for a public road extended through the site with 3 commercial lots and an outlot. The Gander Mountain project will be on Lot 2. The outlot will be dedicated for a storm water pond area.

The site plan shows a 65,000 square foot retail building with a 15,000 square foot outdoor display area. Site access is via a 40' wide driveway to the proposed public street. Mr. Tufte reviewed the conditions of the Public Works Department.

Dan Clumpner, Commonweal Development, spoke in support of the rezoning only. He stated that the project is the collaborative effort of four property owners to develop a large area in a comprehensive manner.

Disa Wahlstrand, Ayres Associates, addressed the drainage and noted that they have contacted the WIS/DOT concerning draining into the I-94 drainage system.

No one appeared in opposition.

Mr. Vande Loo moved to recommend the rezoning. Mr. Waedt seconded and the motion carried.

Mr. Vande Loo moved to recommend the Certified Survey Map with the conditions listed in the staff report. Mr. Kaiser seconded and the motion carried.

Mr. Kayser moved to approve the site plan for Gander Mountain with the conditions listed in the staff report. Mr. Vande Loo seconded and the motion carried.

3. **REZONING (Z-1388-07) - CDBP, Amend the General Development Plan, Luther Hospital Parking Ramp and SITE PLAN (SP-0726) - Luther Hospital Parking Ramp**

Ayres Associates has submitted a request to amend the General Development Plan for CDBP zoned property located at the northeast corner of Whipple Street and Fulton Street for a parking ramp for Luther Hospital and to approve the site plan for the project. The proposed project is an 800-stall, four-story parking deck on the present parking lot. The day care center will remain. The ramp is set back 20' from the Fulton Street right-of-way. The ramp will replace the 521 stalls lost with the ramp and future bed tower construction. There is a net gain of 279 stalls. The construction of the ramp will result in the closing of Chestnut Street, which has been vacated. The primary access to the ramp is off Whipple Street with a secondary access to Fulton Street at 6th Avenue for employees. Mr. Tufte reviewed the conditions of the Public Works Department. A letter in support was submitted by the Historic Randall Park Neighborhood Association.

Mr. Kaiser stated that he was concerned with the wording of the 5th recommendation requiring Luther Hospital to "assist" the City with traffic improvements. Mr. Amundson responded that there appears to be potential for improvements with the construction of the tower but at this time the extent of these improvements is not known. Negotiations will need to occur depending of the impact.

Disa Wahlstrand, Ayres Associates, and Bill Steed, Kahler Slater Architects, appeared in support. Ms. Wahlstrand stated the ramp does have excess capacity and is not designed to go higher. Construction will start this fall. The pedestrian trails will remain and the access on Fulton Street for employees will have a control device. Mr. Steed commented that the helipad and hangar will be removed and landing access will be provided rooftop.

Jacalyn Ristau, 1015 6th Avenue, spoke in opposition. She felt the neighborhood was family oriented and that is why she bought this house. She is concerned about noise and air quality from the increased traffic. She also felt her property values will decline.

Mr. Kaiser moved to recommend the rezoning amendment and site plan with the conditions listed in the staff report, adding a recommendation from the Waterways and Parks Commission that signs on the building receive Plan Commission approval. Mr. FitzGerald seconded and the motion carried.

4. **REZONING (Z-1389-07) - Message Center, Sign Code Amendment**

Mr. Ivory presented a proposed amendment to the Sign Code providing standards for electronic message center signs. He reviewed the background of the proposed ordinance and the four previous discussions with the Plan Commission about the appearance and impact of EMC signs. These include their brightness, the use of vibrant and changing colors, potential for animation and flashing of messages and actual videos. He also reviewed the effort to seek input from the business community with letters and calls to the Chamber, contractors, and other interested parties. Those responses were forwarded to the Plan Commission. He reiterated the importance of standards in code to make enforcement more efficient.

Bob McCoy, Eau Claire Chamber of Commerce, commented on the need for businesses to market themselves and he requested postponement of the ordinance to allow the Chamber to collect information about the proposed ordinance from the membership. He felt this could be accomplished within a few weeks.

Linda Adler, Chippewa Valley Visitors and Convention Bureau, addressed the commission based on her perspective of tourism. She countered that better technology offers more efficiency in sign information. The message centers attract attention but also provide the desired information for travelers. She also felt 30 days was sufficient to provide more input into the ordinance.

Chuck Wilkinson, S & C Bank, commented that message center boards need to scroll in order to provide complete information, particularly where there are federal requirements on complete loan information.

Steve Flaten, owner of 601 S. Farwell Street, operates a message center sign and he has received numerous positive comments. He attempts to keep the messages short and felt he operates the sign responsibly. He commented that liability insurance is the same for an EMC sign as for a standard sign.

Vicki Hoehn, Royal Credit Union, commented that their signs are expensive at \$20,000 each, and with letters at 10" high, only three words can be displayed at one time. Scrolling is necessary to provide a complete message.

Jesse Gillette, Indianhead Foods, commented that they have an 80 square foot EMC which is old and may need to be replaced, but there are no replacement parts, so a new sign under this proposed ordinance would not be allowed. They rely on their sign to draw in business.

Dirk Snyder, Sign Art Company, commented that recent technology has made EMC signs more affordable and efficient. He added that the biggest complaint from customers is the time limits on presenting information. He stated that these signs are very expensive and not many businesses can afford them. He works in 80 communities and most allow the signs to be used to their fullest extent. He also commented that Section C in the proposed ordinance was too vague and allowed for too much personal viewpoint when reviewing signs.

David Klinkhammer, City Council member, commented that this is a sensitive issue for the City and it was important to get a cross section of opinions from the community.

Mr. FitzGerald moved to postpone consideration for 30 days to August 6, 2007. Mr. Waedt seconded and the motion carried.

5. **CONDITIONAL USE PERMIT (CZ-0715) - Adult Day Care Center, 2122 3rd Street**

Regional Enterprises for Adults and Children, Inc. (REACH) has submitted a request to allow an adult day care center at 2122 3rd Street. The applicant will provide care for 6-8 adults (ages 18+) at this building from 9:00 - 3:00 each day. Two staff persons will be at the facility and will park across the street in the parking lot at the main facility. The driveway with double garage will be used to drop off the adults. A handicap ramp will be added to the building. Meals will be provided also at this building. Mr. Tufte noted that previously the lot was zoned commercial and this use would have been a permitted use.

Stacy Wakefield, REACH, Inc., spoke in support. He stated they will provide a turn-around area on the driveway so vehicles do not need to back onto 3rd Street. The clients of the facility will not cross the street. Only staff will park in the main lot.

James Lant, 2128 3rd Street, spoke in opposition. He stated that the property was rezoned to residential because that is the use that the neighbors wanted. He added that he has lung problems and is sensitive to smells, which may be complicated by the added traffic. He also is concerned for his children because of the added traffic.

Mr. Vande Loo moved to approve the request on condition that a turn-around be provided on the property. Mr. Kayser seconded and the motion carried. Mr. Waedt abstained.

6. **GENERAL SITE DEVELOPMENT PLAN (PZ-0703) - County Farm Neighborhood Park**

The City of Eau Claire has submitted a site plan for the County Farm Neighborhood Park located on the east side of County Farm Road, north of Folsom Street. The plan shows the development of a typical neighborhood park. Improvements include pavilion, playground, restrooms, basketball court, open space, trails and parking. The site is consistent with the Comprehensive Plan.

Jon Case, President of the Westridge Neighborhood Association, spoke in support.

Mr. FitzGerald moved to recommend approval. Mr. Kayser seconded and the motion carried.

7. **GENERAL SITE DEVELOPMENT PLAN (PZ-0704) - Chippewa Valley Regional Airport, Crew Quarters**

Charity Speich, the Airport Manager, has submitted a site plan for a crew quarters for the Mayo helicopter to be located at the south end of the airport off Hangar Road. The crew quarters is a four-bedroom house located north of the National Guard Armory and east of the existing airplane hangars.

Chuck Barlow, contractor, and Lyle Groves, Mayo Clinic, spoke in support. This facility will allow Mayo to relocate the heliport from its current location on Whipple Street.

Mr. Vande Loo moved to approve the site plan. Mr. Kayser seconded and the motion carried.

8. **LEASE AGREEMENT - Billboards on Public Property**

The City Attorney has negotiated leases with Lamar Companies for two billboard sites located on public property. The Harding Avenue hill site currently has no lease. The 617 S. Barstow Street site has a 50-year agreement, which expires in 2034. The re-negotiated lease is for five years on both sites and reduces the lease of the S. Barstow site in the downtown where the sign is nonconforming.

Mr. Larson stated that the Harding Avenue hill site should be considered a public park and it's unfortunate the sign may remain another five years.

Rich Reinart, Lamar Advertising, stated that he worked on the leases with the City Attorney and stated that they were not comfortable with the 5-year lease, which would be non-negotiable in the future.

Mr. Larson moved to recommend the leases with the condition that the leases be non-renewable after 5 years. Mr. Davis seconded and the motion carried.

MINUTES

The minutes of the meeting of June 16, 2007, were approved.